

## SUBCOMMITTEE NO. 2

## Agenda

Sheila Kuehl, Chair  
Bob Dutton  
Alan Lowenthal



Wednesday, May 17, 2006

### Outcomes

#### Part II - Agenda

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#### Resources—Environmental Protection—Energy

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## 0540 Secretary for Resources

### 1. California Coastal Impact Assistance Program

**Action.** Approved this May Revision proposal.

**Vote.** 3-0

## 3340 California Conservation Corps

### 1. Bond Funds

**Action.** Approved this May Revision proposal. (Agenda did not reflect correctly the May Revision. Intent is to approve May Revision Proposal.)

**Vote.** 3-0

## 3460 Department of Conservation

### 1. Beverage Container Recycling Program

**Action.**

- Approved trailer bill language to allocate excess funding in the Beverage Container Recycling Program to increase recycling rates to achieve the 80 percent recycling goal.

**Vote.** 2-0 (Dutton)

## 3540 Department of Forestry and Fire Protection

### 1. Urban Forestry

**Action.**

- Approved \$3 million in additional Proposition 40 bond funds for urban forestry grants and to support the program (\$136,000 to fund 1.2 additional positions to expand management of the program).
- Approved budget bill language to clarify that the department must implement the grants consistent with the priorities set out in the California Urban Forestry Act of 1978.

**Vote.** 2-1 (Dutton)

### 2. Forestry Program

**Action.**

- Approved the staffing and expenditures proposed in the Governor's Budget and May Revision proposals.

**Vote.** 3-0

- Approved trailer bill language to require that all revenues from the state forests deposited in the FRIF account be transferred to the General Fund except for those funds needed to manage state forest lands. (Trailer bill language should include a provision for annual reporting to the Legislature on the total revenues generated on state forest land.)
- Approved corresponding amendments to the budget bill (increase General Fund revenues, increase General Fund support for forestry programs, reduce FRIF support of the department).
- Rejected proposal to require repayment of the General Fund loans and forgive these loans.

**Vote.** 2-1 (Dutton)

### **3. Off-Season Fire Protection Statewide**

**Action.** Added \$1,000 to fund the May Revision proposal.

**Vote.** 3-0

### **4. Workers' Compensation and Unemployment Insurance**

**Action.** Approved this budget request.

**Vote.** 3-0

### **5. Public Safety Workforce Recruitment**

**Action.** Approved \$2.5 million from the General Fund to fund this proposal.

**Vote.** 3-0

## **3560 State Lands Commission**

### **1. School Land Bank Fund**

**Action.**

- Approved trailer bill language to amend Public Resources Code §8705 to clarify that funds from the School Land Bank Fund can be used for management and remediation of hazards on state school lands.
- Approved \$2 million from the School Land Bank Fund to remediate the most dangerous mine features on state school lands.
- Approved budget bill language to give SLC the authority to expend the \$2 million over three years.
- Approved \$200,000 from the School Land Bank Fund to support one two-year limited-term position and contracts to do an assessment of unexploded ordnance and other potential hazards on state school lands. (This is \$200,000 per year for two years.)

- Approved supplemental report language to require the Commission to report to the Legislature by January 10, 2008, with a plan for addressing unexploded ordnance and other potential hazards on state school lands.

**Vote.** 3-0

## **3780 Native American Heritage Commission**

### **1. Implementation of Recently Enacted Mandates**

**Action.** Approved \$200,000 from General Fund monies to support two positions (staff counsel and support staff) to assist in implementing recently enacted mandates.

**Vote.** 2-1 (Dutton)

## **3790 Department of Parks and Recreation**

### **1. Bond Funds - Technical**

**Action.** Approved these Finance Letter proposals.

**Vote.** 3-0

### **2. Funding Boating Opportunities at State Parks**

**Action.**

- Approved the Finance Letter proposal to forgive the \$15 million loan from the gas tax on boaters to the State Parks and Recreation Fund.
- Rejected the Finance Letter proposal to permanently reduce the \$15 million transfer from the gas tax on boaters to the State Parks and Recreation Fund.

**Vote.** 2-1

### **3. Capital Outlay**

**Action.**

- Approved funding for OHV minor capital outlay, but, consistent with current law, the commission must approve the projects prior to expenditure of these funds.
- Approved capital outlay Finance Letter.

**Vote.** 3-0, except for the following projects:

- Mount Hamilton Acquisitions for Henry W. Coe State Park.
- Acquisition and Development of the Los Angeles River Parkway Project.
- Irish Hills Acquisition for Montana de Oro State Park.
- Monterey State Beach.
- State Park System Acquisitions.

These projects were approved on a 2-1 (Dutton) vote.

#### 4. Main Street Program

**Action.**

- Approved 175,000 from General Fund monies and two positions to staff the Main Street Program.

**Vote.** 2-1 (Dutton)

#### 5. Off-Highway Motor Vehicle Program

**Action.**

- Deleted funding for the OHV grants from the OHV Fund.

**Vote.** 3-0

#### 6. Federal Grants – Technical Change

**Action.** Approved the following compromise budget bill language to address the Department of Finance's concern:

*3790-101-0858*

*Provisions:*

*4. Notwithstanding any other provision of law, the Director of Finance may authorize an intra-schedule transfer of funds in this item. The intra-schedule transfer shall occur no sooner than 30 days after written notification is provided to the chairpersons of the fiscal committees in each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee.*

**Vote.** 3-0

#### 7. Malibu Bluffs Park

**Action.** Approved the following trailer bill language, but agreed to work with DOF to make sure that it is consistent with the constitution after a review by the Attorney General's office:

*Section 5003.11 is added to the Public Resources Code to read:*

*(a) Notwithstanding Section 11011 et seq. of the Government Code, the Director may grant to the City of Malibu, subject to the conditions set forth in this section, all of the rights, title, and interest of the State of California in an approximately 10.81-acre portion of the Malibu Bluffs unit of Malibu Lagoon State Beach, known as Malibu Bluffs Community Park, in Los Angeles County.*

*(b) The grant shall be made upon the following express conditions:*

*(1) The real property conveyed shall be operated, maintained, and improved by the city for park purposes in perpetuity, consistent with covenants, conditions, and restrictions recorded by the Department to protect the State's interest.*

(2) *The City of Malibu shall pay the Department fair market value for the real property interests, as restricted by subdivision (b)(1); the net proceeds shall be deposited pursuant to Section 5003.15. The fair market value shall be determined by an appraisal that is reviewed and approved by the Department of General Services.*

(c) *The Legislature hereby makes a finding that the grant to the City of Malibu, pursuant to the conditions provided in subdivision (b)(1) above, is excepted from the provisions of Section 5096.516 in accordance with subdivision (c)(3) of that section.*

**Vote.** 3-0

## 8. Los Angeles State Historic Park

**Action.** Approved this May Revision proposal.

**Vote.** 2-1 (Dutton)

## 9. Deferred Maintenance

**Action.**

- Approved the May Revision proposal.

**Vote.** 3-0

- Approved an additional \$240 million in General Fund monies for deferred maintenance in the state park system.
- Approved the following budget bill language:

*3790-001-0001*

*Provisions:*

*3. \$250,000,000 of the funds appropriated in this item shall be available for encumbrance through June 30, 2012.*

*4. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures in this item for capital outlay projects not sooner than 30 days after written notification is provided to the chairpersons of the fiscal committees in each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee. The written notification will provide a description of each capital outlay project, the need for the project, and the cost and phase for which approval is requested. The total of these expenditures may not exceed \$250,000,000.*

**Vote.** 2-1

## 3680 Department of Boating and Waterways

### 1. Harbors and Watercraft Revolving Fund – Capital Outlay

**Action.**

- Approved the Governor's capital outlay proposal.
- Approved the capital outlay Finance Letter proposal.

**Vote.** 3-0

## **2. Harbors and Watercraft Revolving Fund – Local Assistance**

**Action.**

- Approved the Governor's budget proposal for local assistance grants and loans.

**Vote.** 3-0

- Rejected the Governor's Finance Letter transferring \$15 million in gas tax monies paid by voters from the Department of Parks and Recreation to support additional loans and grants to marinas and boat launch facilities.

**Vote.** 2-1 (Dutton)

- Allocated an additional \$3.1 million from the Harbors and Watercraft Revolving Fund reserve to the Alamitos Bay - Basin 1 project. (These funds are available due to the reversion under issue 1.)
- Deleted \$10,000 in funding for a grant to the Live Oak Boat Launch Facility to correct an error.

**Vote.** 3-0

## **3. Additional Federal Funding**

**Action.** Approved the Finance Letter.

**Vote.** 3-0

# **3900 Air Resources Board**

## **1. Lower-Emissions School Bus Program**

**Action.**

- Approved Finance Letter proposal.

**Vote.** 3-0

- Approved budget bill language that requires the ARB to redirect \$25 million in MVA funding from retrofit and replacement of school buses to establish a new program that provides incentives to public agencies to purchase low-polluting construction equipment if the Transportation and Air Quality Bond is passed by the voters in the November.

**Vote.** 2-1 (Dutton)

## **2. Other Air Quality Incentives**

**Action.** Allocated one-time Motor Vehicle Account funding to the following incentives to reduce air pollution:

- \$5 million to establish a Locomotive Head End Power Project to repower and/or retrofit transit locomotives (i.e. trains that carry people), which operate a significant number of hours per year in close proximity to commuting public, schools and neighborhoods.

- \$10 million to establish a program to reimburse public agencies for the incremental increased cost of purchasing cleaner construction equipment.
- \$10 million to provide incentives for a dairy pollution reduction incentive program to provide incentive payments for clean equipment not otherwise required by law or regulation.

**Vote.** 2-1 (Dutton)

### 3. Local Air District Subventions

**Action.** Increased subventions (ongoing) to local air districts by \$10 million from the MVA.

**Vote.** 2-1 (Dutton)

## 3910 Integrated Waste Management Board

### 1. Waste Tire Recycling Management Program

**Action.**

- Increased local assistance by \$8.3 million and reduce state operations by \$8.3 million to reflect the technical shift of grant funds at the board.
- Approved supplemental report language to provide the Legislature with additional baseline information on the board's tire enforcement program.

**Vote.** 3-0

## 3960 Department of Toxic Substances Control

### 1. Stringfellow Hazardous Waste Site

**Action.** Approved the Finance Letter proposal.

**Vote.** 3-0

## 8570 California Department of Food and Agriculture

### 1. Capital Outlay

**Action.**

- Approved the Finance Letter.
- Approved an amendment to the Finance Letter to reappropriate all funding from the State Highway Account for construction and working drawings.

**Vote.** 3-0

### 2. Diaprepes Root Weevil Eradication

**Action.**

- Approved this Finance Letter proposal.
- Adopted supplemental report language to require an update on eradication efforts by January 10, 2008.

**Vote.** 3-0

### 3. Conversion to CalSTARS

**Action.**

- Approved this Finance Letter proposal.
- Approved an amendment to the Finance Letter to reduce the amount proposed in the letter by \$177,000 (\$58,000 General Fund and \$119,000 other funds).

**Vote.** 3-0

### 4. Emerging Threats to Food Supply

**Action.** Approved the following components of the budget proposal on emerging threats:

Activity	Amount	Positions	Senate Proposal
<b>Expanded Laboratory Capacity.</b>	\$2,025	0.0	Approve, but fund with \$1.1 million in OHS grants and \$969,675 from Specialty Crop grant funds.
<b>Rural-Urban Community Outreach and Disease Surveillance.</b>	\$1,173	10.0	Approve 3 positions total (\$450,000 GF), 2 for Southern California and 1 for Northern California to work with local health jurisdictions and others to implement this program.
<b>Emergency Response Office.</b>	\$1,017	8.0	Approve, but fund with \$1 million in Specialty Crop grant funds.
<b>Information Technology Project.</b>	\$1,094	8.0	Approve, but fund with \$363,437 from Anti-Terrorism Fund.
<b>Assess Safety of Production Facilities.</b>	\$588	4.0	Reject.
<b>Dairy Food Safety and Security.</b>	\$499	4.0	Reject.
<b>Create a Research and Policy Development Unit.</b>	\$399	3.0	Approve.

<b>Employee Personal Protection.</b>	\$188	1.0	Approve, but fund with Anti-Terrorism Fund.
<b>Field Early Warning System.</b>	\$163	1.0	Reject.
<b>Total</b>	<b>\$7,224</b>	<b>39.0</b>	
<b>Senate Total</b>	<b>\$5,173</b>	<b>23.0</b>	
<i>General Fund</i>	<i>\$1,580</i>		
<i>Specialty Crop Grant Funds</i>	<i>\$1,987</i>		
<i>Anti-Terrorism Funds</i>	<i>\$551</i>		
<i>OHS Grant Funds</i>	<i>\$1,055</i>		

**Vote.** 2-1 (Dutton), except for Expanded Laboratory Capacity.

- Approved budget bill language to require the department to report to the JLBC to justify ongoing positions needed to support the information technology project.
- Approved supplemental report language to require the department to report on activities, and outcomes of the Agricultural Security and Emergency Response office.
- Approved the May Revision proposal (Senator Dutton OK with lab equipment only).

**Vote.** 2-1

## 5. Budget Bill Language – Enhancing Emergency Eradication Efforts

**Action.** Approved the compromise budget bill language consistent with the action taken by the Assembly.

**Vote.** 3-0

## 6. Weed Management Areas Program

**Action.** Approved \$2.5 million in General Fund monies for this program.

**Vote.** 2-1 (Dutton)

# 8660 Public Utilities Commission

## 1. Division of Ratepayer Advocates

**Action.**

- Approved the Governor's budget proposal to add one legal position to DRA.
- Rejected the Governor's budget proposal to redirect positions from the electricity branch to the telecommunications and water branches.

- Added 21 additional positions to DRA's budget to the program areas summarized in the chart above.

**Vote.** 2-0 (Dutton)

<b>Activity</b>	<b>Current Staffing</b>	<b>Staffing Identified to Meet Mandates</b>	<b>Governor's Budget</b>	<b>Senate Proposal</b>
<b>Telecommunications and Consumer Issues</b>				
- Advocacy in Proceedings - additional positions needed for telecommunications audit and program reviews.	14.3	2.0	+1 (redirect)	2.0
- Advice letter review - additional staff time needed to represent consumer customers on telecommunications advice letters.	0.3	0.8		0.8
- Compliance reviews - additional positions needed to monitor implementation of the Consumer Bill of Rights.	0.0	2.2		2.2
- Low income programs - additional staff needed to participate in CARE program implementation and Low Income Oversight Board activities.	1.1	1.0		1.0
<b>Water</b>				
- Water utility general rate cases - additional positions needed to implement AB 2838 that requires DRA to do general rate cases every three years.	18.7	3.4	+3.4 (redirect)	3.4
- Non-general rate case proceedings - additional positions needed to participate in proceedings on the sale of water utility assets, water rights, low-income programs, water quality, conservation, and merger and acquisition proceedings.	0.3	2.7	+1.5 (redirect)	2.7
- Review of advice letters - additional positions needed to represent utility consumers on water advice letters.	0.0	0.9	+0.1 (redirect)	0.9
- Audit water utilities - additional staff is needed to meet audit demands.	1.0	3.0		3.0
<b>Electricity Resources and Pricing</b>				
- Demand response.	5.1	0.0	-1 (redirect)	Reject

- Electricity ratemaking - additional position needed to augment staff to evaluate rate design.	6.0	1.0		1.0
- Procurement - additional positions needed to evaluate up to 15 new procurement plans.	5.5	1.0	-1 (redirect)	1.0
- Mergers and Acquisitions.	1.3	0.0	-1 (redirect)	Reject
- Distributed generation - additional position needed for the California Solar Initiative.	0.5	1.0		1.0
- Resource adequacy - additional position needed to examine local reliability requirements and capacity market design.	1.6	1.0		1.0
- Transmission - additional position needed for economic and reliability analysis of multiple high voltage transmission line applications.	1.3	1.0		1.0
<b>Energy Cost of Service and Natural Gas</b>				
- Energy General Rate Cases.	18.1	0.0	-2 (redirect)	Reject
- Natural gas proceedings.	5.2	0.0	-1 (redirect)	Reject
<b>Oversight and Coordination</b>				
- Legal Counsel.	0.0	1.0	1.0	1.0
<b>Total DRA</b>		<b>22.0</b>	<b>1.0</b>	<b>22.0</b>

## 2. Telecommunications Division

### Action.

- Rejected the Governor's proposal to redirect positions in this area.
- Added three additional positions to the Telecommunications Division for the program areas summarized in the chart above.

**Vote.** 2-1 (Dutton)

Activity	Current Staffing	Staffing Identified to Meet Mandates	Governor's Budget	Senate Proposal
<b>Carrier Branch</b>				
- Certificate of Public Convenience & Necessity reviews and certification.	0.4	0.0	-0.4 (redirect)	Reject
- Federal Matters - additional positions needed which would impact and review federal legislation and rulemaking affecting California consumers.	1.0	4.0	+1 (redirect)	1.0

- California Teleconnect Fund program administration.	3.0	0.0	-6 (redirect)	Reject
<b>Public Programs Branch</b>				
- California High Cost Fund-A program administration.	0.5	0.0	-.5 (redirect)	Reject
- California High Cost Fund-B program administration.	2.5	0.0	-1 (redirect)	Reject
- Deaf and Disabled Telecommunications program administration.	3.1	2.0	+2 (redirect)	2.0
- Universal Lifeline Telephone Service program administration.	2.8	0.0	-.5 (redirect)	Reject
<b>Total Telecommunications Division</b>		<b>6.0</b>	<b>0.0</b>	<b>3.0</b>

### 3. Energy Division

**Action.** Approved the budget proposal summarized below:

**Vote.** 2-1 (Dutton)

Activity	Current Staffing	Staffing Identified to Meet Mandates	Governor's Budget	Senate Proposal
<b>Ratemaking Branch, State Electric Rates Section</b>				
- General Rate Cases - Additional positions are needed to support general rate cases and to work on general rate design issues.	2.0	2.0	+2 (redirect)	2.0
- Other rate cases and ratemaking matters - Additional positions are needed to address other ratemaking activities, including filings to recover fuel costs and make changes to the cost of capital.	6.0	1.0	-2 (redirect)	Reject
<b>Ratemaking Branch, State and Federal Natural Gas Section</b>				
- Instate transmission and storage infrastructure supply adequacy.	2.0	0.0	-1 (redirect)	Reject
- Interstate transportation rates and services, LNG supply terminals - An additional position is needed to address projected workload associated with three new interstate pipelines being proposed.	0.5	1.0		1.0

- Natural gas procurement and hedging for electric generation fuel - An additional position is needed to assess the use of financial instruments in natural gas procurement.	1.0	1.0		1.0
<b>Ratemaking Branch, Federal Electric Section</b>				
- Support FERC proceedings on behalf of ratepayers of California - Additional positions needed support market redesign activities.	5.0	2.0	-1 (redirect)	1.0
- Support implementation of Energy Policy Act of 2005 - Additional positions are needed to address new workload associated with this Act.	1.5	2.0		1.0
- Participate in regional coordination and working group meetings - Additional positions are needed to participate in regional planning meetings.	1.5	2.0		1.0
<b>Energy Resources Branch, Energy Efficiency Section</b>				
- Energy efficiency program planning and development - One-half of a position is needed to fully participate in all advisory group meetings with utilities on their energy efficiency plans.	1.5	0.5	+0.5 (redirect)	0.5
- Evaluation, measurement, and verification of energy efficiency program impacts - Additional positions are needed to implement the commission's increased role in evaluation and measurement of utility energy efficiency programs.	1.5	2.5	+2 (redirect)	2.5
- Research and analysis, quality assurance and other activities in support of CPUC policy and oversight role - Additional positions are needed to conduct financial and management audits of utility energy efficiency programs.	0.5	1.5	+0.5 (redirect)	0.5
- Energy efficiency program implementation monitoring and reporting.	1.5	0.0	-1 (redirect)	Reject

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|--|-----|-----|--|-----|
| - Support to other CPUC/CEC proceedings and interagency collaborative related to energy efficiency - An additional one-half of a position is needed to support work related to collaboration on energy efficiency. | 0.5 | 0.5 |  | 0.5 |
| - Utility performance review and risk/reward mechanism for energy efficiency - An additional position is needed to evaluate.   | 0.0 | 1.0 |  |     |

**Energy Resources Branch, Demand Response and Load Serving Entity Programs**

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|---|-----|-----|---------------|-----|
| - Advanced metering programs - An additional position is needed to address other analytical and programmatic issues related to implementing advanced metering programs. | 2.0 | 1.0 | +1 (redirect) | AAB |
| - Community Choice Aggregation.   | 1.8 | 0.0 | -1 (redirect) | AAB |

**Energy Resources Branch, Procurement and Resource Adequacy Section**

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|---|-----|-----|---------------|-----|
| - Resource adequacy program oversight - An additional position is needed to evaluate and analyze filing and for enforcement of standards.     | 0.4 | 1.1 |               | 1.0 |
| - Resource adequacy policy and program implementation - An additional position is needed to develop methods of collecting and analyzing data. | 0.6 | 1.0 |               | 1.0 |
| - Procurement oversight - Additional positions are needed for oversight of procurement planning.  | 3.0 | 2.0 | +2 (redirect) | 2.0 |
| - Procurement policy - An additional position is needed for developing policy changes to procurement policy.                                  | 2.0 | 1.0 |               |     |
| - Procurement review groups - An additional position is needed to participate in weekly utility meeting to review proprietary market data.    | 2.0 | 1.0 | -1 (redirect) | 1.0 |

**Energy Resources Branch, Renewable and Distributed Generation Section**

- Renewable energy to meet current Renewable Portfolio Standard - Additional positions are needed to adequately assess project viability and track project and transmission development.	2.0	3.0	+1.5 (redirect)	1.5
- Distributed generation - Additional staff is needed to manage and implement the self-generation incentive program.	2.0	3.0	+1.5 (redirect)	1.5
- California Solar Initiative - Additional staff is needed to design and implement this initiative.	2.0	2.0		2.0

#### **Transmission Permitting and Reliability Branch, Transmission Permitting Section**

- Environmental review of project applications - An additional staff is needed to address the increased workload related to transmission projects.	6.0	1.0	-1 (redirect)	1.0
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#### **Transmission Permitting and Reliability Branch, Trans. and Dist. Reliability Section**

- Standards for operation, reliability, and safety during emergencies and disasters.	1.5	0.0	-1 (redirect)	1.0
- Reconciling traditional methods of transmission planning with development of renewable generation - Additional positions are needed to address this issue.	3.0	3.0	-1 (redirect)	1.0

#### **Low Income Programs**

- Manage the CARE and LIEE programs.	3.0	0.0	-3 (redirect)	
- Other needs assessment analysis.	0.0	1.0		
- Management of the Low Income Oversight Board.	2.0	1.0		1.0
- Develop, expand, and monitor new low income programs.	0.0	1.0		1.0
- Emergency relief programs for low income parties.	1.0	2.0	-1 (redirect)	1.0
- Automatic enrollment of low income persons enrolled in other state programs.	0.0	1.0		

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<b>Total Energy</b>	<b>42.1</b>	<b>0.0</b>	<b>27.0</b>
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## 5. Consumer Service and Information Division

**Action.** Approved one additional position for this division.

**Vote.** 2-1 (Dutton)

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<b>Activity</b>	<b>Current Staffing</b>	<b>Staffing Identified to Meet Mandates</b>	<b>Governor's Budget</b>	<b>Senate Proposal</b>
<b>Public Advisors Office</b>				
- Proposes to abolish public outreach in the Inland Empire.	1.0	0.0	-1 (redirect)	Reject
<b>Small Business Liaison</b>				
- The recent telecommunications bill of rights requires a greater focus and outreach to the small business community.	0.0	1.0	+1 (redirect)	1.0
<b>Total Consumer Services and Information Division</b>		<b>1.0</b>	<b>0.0</b>	<b>1.0</b>

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## 6. California Teleconnect Program

**Action.**

- Approved the May Revision proposal.

**Vote.** 3-0

- Approved budget bill language to reappropriate \$3 million in funding provided to SB 720.

**Vote.** 2-1 (Dutton)